

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION**

UNITED STATES OF AMERICA)	CR No. 6:19-239
)	
v.)	
)	
SCOTT A. KOHN)	
FUTURE INCOME PAYMENTS, LLC)	
)	
Defendants.)	
)	
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)	
IN RE RECEIVER FOR SCOTT A.)	C. A. No. 6:19-cv-01112-BHH
KOHN AND FUTURE INCOME)	
PAYMENTS, LLC, JOSEPH P. HIPPI,)	
KRAIG S. AIKEN, DAVID N.)	
KENNEALLY, AND MELANIE JO)	
SCHULZE-MILLER)	

ORDER

This matter is before the Court pursuant to the Petition to Liquidate Asset Free and Clear of Liens and Encumbrances of the Receiver, Beattie B. Ashmore (“Receiver”), filed December 11, 2023 (the “Petition”), seeking to sell that certain manufactured home identified as Karsten Villa, Model Number. KS53401A, Serial Numbers KCCA01K90767A and KCCA01K90767B (the “Manufactured Home”), located within Gateway Mobilehome Park pursuant to a Month to Month Rental Agreement with Gateway Mobilehome Park, LLC dated September 1, 2015 (the “Lease”), having an address of 151 Gamay Circle, Yountville, Napa County, California 94599 (the “Premises”). In accordance with this Court’s Order of Appointment filed on April 15, 2019, thereafter replaced and superseded by Orders filed on April 30, 2019, July 18, 2019, March 3, 2020, and September 1, 2020, and further replaced and superseded by Order filed on October 9, 2020 (collectively the “Court Order”), the Receiver has full control and possession of a number of

assets acquired by Scott A. Kohn (“Kohn”) and Future Income Payments, Inc. (“FIP”), including other entities, individuals, businesses and trusts owned, controlled, used, accessed, authorized by and/or alter egos for the benefit of Kohn and FIP as listed and defined in the Court Order (collectively the “FIP Receivership Entities”), and including assets and property directly traceable to the FIP Receivership Entities that may be in the possession of Kohn and his family members, business associates and acquaintances. Title to the Manufactured Home is held by the Francine Kohn Irrevocable Trust 081215 (the “Kohn Trust”), as evidenced by the Certificate of Title issued on October 26, 2015, by the California Department of Housing and Community Development, Decal No. LBB8345 (the “Certificate of Title”). The Kohn Trust is owned or controlled by Kohn, and is therefore a party included in the Court Order under the definition of FIP Receivership Entities. The Manufactured Home is included specifically in the Preliminary Order of Forfeiture filed by the Court on August 19, 2022.

In the Petition, the Receiver requests that the Court allow for the liquidation and sale of the Manufactured Home to The Picetti Family Trust (“Buyer”), pursuant to the terms and conditions of that certain California Residential Purchase Agreement and Joint Escrow Instructions dated November 29, 2023 (the “Contract”).

The parties, including the United States, consent to the Receiver’s Petition and have further stipulated that, to the extent that the requirements of 28 U.S.C. § 2001 and/or § 2002 might apply to this sale, they are waived. *See, e.g., Huntington National Bank v. Big Sky Development Flint, LLC*, 2010 WL 3702361, at *7 (E.D. Mich. Sept. 16, 2010) (procedures of 28 U.S.C. § 2001 inapplicable when waived by stipulation of the parties). The United States further stipulates that it waives any right to appeal the order granting this relief.

After consideration of this matter, the Court believes that the Manufactured Home at issue

and the Contract to sell the same supports the Receiver's due diligence and conclusions that this opportunity is unique and well supported, and therefore grants the Receiver's Petition.

IT IS THEREFORE ORDERED that the Receiver is hereby authorized to proceed with those obligations imposed upon him as the Seller in the Contract, including the authority to execute and deliver a bill of sale conveying and transferring title to the Manufactured Home to Buyer for a purchase price of \$235,000.00. The Receiver is further authorized to execute and deliver a Closing Statement itemizing costs and expenses consistent with the Contract, together with such other affidavits, instruments, assignments and documents as may be reasonable, necessary and appropriate for such transaction or as required by the terms of the Contract. The proceeds from the sale of the Manufactured Home, less the real estate commissions and seller costs required under the Contract, shall be disbursed directly to the Receiver upon the closing.

IT IS SO ORDERED.

s/Bruce Howe Hendricks
Bruce Howe Hendricks
United States District Judge

Greenville, South Carolina
December 28, 2023